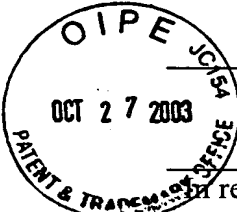


3763



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Albert P. Pisano, et al.

Attorney Docket No.: UCALP026

Application No.: 09/961,079

Examiner: Thompson, M.M.

Filed: September 20, 2001

Group: 3763

Title: A METHOD OF INTERVENTIONAL SURGERY

Handwritten notes:
#16
Section
S. Bryce
11/4/03

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on October 24, 2003 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: *Deborah Neill*
Deborah Neill

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Examiner has required that prosecution of the subject application be restricted to one of the following species of invention:

- A. Figures 1-4;
- B. Figure 5;
- C. Figure 6;
- D. Figures 7A-B; or
- E. Figure 8.

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The Examiner has found that the species are patentably distinct from each other, and he has required that Applicants "elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable". According to the Examiner, there are no generic claims.

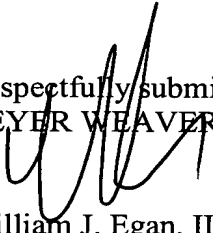
However, Claim 24 is, in fact, generic to each of the identified species. Thus, for this reason, this restriction requirement is traversed.

Further, as required by the restriction requirement, Applicants elect to prosecute species A (Figures 1-4). The following claims read on species A: Claims 1-19 and 24.

If prosecution of this application can be assisted by telephone, the Examiner is requested to contact Applicants' undersigned attorney at (510) 495-3206.

Please apply any charges or credits to the Deposit Account No. 500388 (Order No. UCALP026).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP


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